

CITY OF ELKTON, KENTUCKY
SUMMARY OF ORDINANCE NUMBER 2015-3

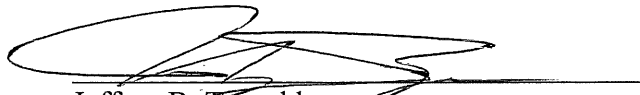
**AN ORDINANCE ANNEXING TO THE CITY OF ELKTON, KENTUCKY A
7.535 ACRE TRACT LYING ADJACENT TO AND CONTIGUOUS TO THE
PRESENT CITY BOUNDARIES ON HIGHWAY 68/80 AND B. WHITE ROAD**

SUMMARY OF ORDINANCE

Ordinance Number 2015-3 annexes into the territorial limits of the City of Elkton, Kentucky a 7.535 acre tract of land lying immediately north of Highway 68/80 and immediately west of B. White Road. Said Ordinance further zones the annexed property as Highway/General Commercial District (B-3) as recommended by the Elkton Planning Commission.

A copy of the full text of said Ordinance is available for public inspection at Elkton City Hall during regular business hours, Monday through Friday.

As required by KRS 83A.060(9), I hereby certify that the above is a Summary of the above-titled ordinance and that said summary was prepared by Jeffrey B. Traughber, Elkton City Attorney.


Jeffrey B. Traughber

RECEIVED AND FILED
DATE June 24, 2015

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Allison

CITY OF ELKTON, KENTUCKY
ORDINANCE NO. 2015-3

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Randy Adkins

**AN ORDINANCE ANNEXING TO THE CITY OF ELKTON, KENTUCKY A
7.535 ACRE TRACT LYING ADJACENT TO AND CONTIGUOUS TO THE
PRESENT CITY BOUNDARIES ON HIGHWAY 68/80 AND B. WHITE ROAD**

WHEREAS, the City of Elkton, Kentucky, has received written consent requesting annexation of the area hereinafter described;

WHEREAS, the territory is contiguous or adjacent to the City's boundaries and by reason of population density, commercial, industrial, institutional, or governmental use of land, or subdivision of land, is urban in character or suitable for development for urban purposes without unreasonable delay, and no part of the area to be annexed is included within the boundary of another incorporated city; and

WHEREAS, the owners of the property to be annexed have consented in writing to the annexation and pursuant to KRS 81A.412, and other applicable law, the City is not required to wait the 60 day period prior to enactment of a final ordinance annexing the area; and

WHEREAS, the Elkton Planning Commission held a public hearing pursuant to KRS 100.209 and has made a recommendation that the property be zoned as Highway/General Commercial District (B-3) upon annexation.

NOW, THEREFORE, BE IT ORDAINED by the legislative body of the City of Elkton as follows:

SECTION ONE: It is deemed desirable and it is hereby proposed to annex to the City of Elkton, Kentucky, and extend the boundaries of the City of Elkton to include same, that certain tract of land which is now embraced within the County of Todd, and which is adjacent to and contiguous with the present City boundary and which is more particularly described in the legal description and survey attached hereto as Exhibit "A".

SECTION TWO: The property shall be zoned as Highway/General Commercial District (B-3).

SECTION THREE: Any and all other ordinances, municipal orders, or portions thereof, inconsistent with this ordinance are hereby automatically repealed.

SECTION FOUR: If any section, subsection, sentence, clause, or phrase of this ordinance is held unconstitutional, or otherwise invalid, such infirmity shall not affect the validity of the remainder of this ordinance.

SECTION FIVE: This ordinance shall be effective upon second reading and final passage and publication thereof according to law.

PUBLICLY READ FOR FIRST READING: May 21, 2015.

PUBLICLY READ FOR SECOND READING: June 9, 2015.

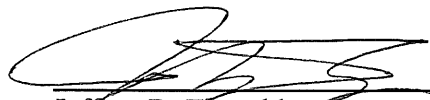
APPROVED:

Jackie Boyd Weathers
Jackie Boyd Weathers, MAYOR
CITY OF ELKTON, KENTUCKY

ATTEST:


LAURA BROCK, CITY CLERK

Prepared by:


Jeffrey B. Traughber
DILLINGHAM & TRAUGHBER
207 E. McReynolds Drive
P.O. Box 129
Elkton, KY 42220
(270) 265-5651

Published June 17, 2015

CITY OF ELKTON, KENTUCKY
EXHIBIT "A" TO ORDINANCE NO. 2015-3

Being a 7.535 Acre tract located within the bounds of a tract conveyed to Harvey Martin, et ux from Stephen G. Myers, et ux, on January 4, 2011, as recorded in Deed Book 187, Page 403, in the Office of the County Clerk of Todd County, Kentucky, and being more particularly described as follows:

BEGINNING at a point, said point being a P-K spike with 1 inch Cap stamped PLS 2484 located in the North right-of-way line of U. S. Highway 68 (4 Lane) at its point of intersection with the West right-of-way (right-of-way varies) of B. White Road, said point of beginning being located 100.00 feet left (North) of Station 1115+00; thence a line with the North right-of-way line of U. S. Highway 68 (4 Lane), the next three (3) calls as follows:

North 87 degrees 08 minutes 15 seconds West, 200.25 feet to a point, said point being located 110.00 feet left (North) of Station 1113+00;

North 89 degrees 35 minutes 27 seconds West, 700.02 feet to a point, said point being located 115.00 feet left (North) of Station 1006+00;

South 89 degrees 07 minutes 07 seconds West, 220.45 feet to a point, said point being located 111.62 feet left (North) of Station 1103+80 in said line and being corner to Harvey Martin, et ux (Deed Book 187, Page 403); thence a line with Harvey Martin, et ux, North 00 degrees 00 minutes 00 seconds East, 108.00 feet to an iron pin set with 1 in Cap stamped PLS 2484 corner to Harvey Martin, et ux and being located on the South bank of a Branch; thence a line with Harvey Martin, et ux and the meanders of said Branch, the next six (6) calls as follows:

South 89 degrees 34 minutes 51 seconds East, 116.61 feet to a point;

North 74 degrees 18 minutes 57 seconds East, 330.57 feet to a point;

North 80 degrees 29 minutes 08 seconds East, 97.86 feet to a point;

North 45 degrees 50 minutes 28 seconds East, 154.24 feet to a point;

North 34 degrees 12 minutes 15 seconds East, 232.96 feet to a point;

North 39 degrees 06 minutes 38 seconds East, 212.49 feet to a corner post corner to Harvey Martin, et ux and being located in the West right-of-way line of B. White Road; thence a line with said right-of-way, the next five (5) calls as follows:

South 23 degrees 17 minutes 20 seconds East, 244.44 feet to a point, said point being located 17.63 feet right (West) of Station 44+00;

South 09 degrees 53 minutes 29 seconds East, 102.47 feet to a point, said point being located 40.00 feet right (West) of Station 45+00;

South 22 degrees 30 minutes 00 seconds East, 102.47 feet to a point, said point being located 40.00 feet right (West) of Station 46+50;

South 15 degrees 05 minutes 56 seconds East, 139.59 feet to a point, said point being located 50.00 feet right (West) of Station 48+00;

South 03 degrees 24 minutes 23 seconds East, 90.62 feet to a point of beginning and containing 7.535 Acres.

Access for ingress and egress for the above described 7.535 Acre tract is gained by thirty (30') foot wide access easement across a tract conveyed to Harvey Martin, et ux from Stephen G. Myers, et ux, on January 4, 2011, as recorded in Deed Book 187, Page 403, in the Office of the County Clerk of Todd County, Kentucky, and being more particularly described as follows:

BEGINNING at a point, said point being a iron pin with 1 inch Cap stamped PLS 2484 located in the North right-of-way line of U. S. Highway 68 (4 Lane) and being corner to the West boundary

line of the above described 7.535 Acre tract, said point of beginning also being corner to to Harvey Martin, et ux (Deed Book 187, Page 403); thence a line with the North right-of-way line of U.S. Highway 68 (4 Lane), South 89 degrees 07 minutes 07 seconds West, 30.00 feet to a point in said line and being corner to Harvey Martin, et ux; thence a line with Harvey Martin, et ux, North 00 degrees 00 seconds East, 108.46 feet to a point corner to Harvey Martin, et ux and being located on the South Bank of the Branch; thence a line with to Harvey Martin, et ux and the meanders of said Branch North 90 degrees 00 minutes 00 seconds East 30.00 feet to an iron pin set with 1 inch Cap stamped PLS 2484 corner to Harvey Martin, et ux and being located in the West boundary line of the above described 7.535 Acre tract; thence a line with said boundary line, South 00 degrees 00 minutes 00 seconds West, 108.00 feet to the point of beginning and containing 0.075 Acres or 3, 247 Square Feet, said point terminating said thirty (30') foot wide Access Easement.

The above description was prepared from a physical survey performed on April 22, 2014 by C. Douglas Harris, Kentucky Professional Land Surveyor Number 2484 with HARRIS & HARRIS SURVEYING COMPANY, LLC, Commonwealth of Kentucky Permit No. 91, 83 East Public Square, Post Office Box 244, Elkton, Kentucky 42220, and is subject to all easements and right-of-ways of record and in existence. See Plat recorded in Plat Cabinet 3, Slide 49 C&D.

SOURCE OF TITLE: Being part of the same property conveyed to Harvey Martin, and his wife, Lena Martin, from Stephen G. Myers and his wife, Vickie J. Myers, by deed dated January 4, 2011 and recorded in Deed Book 187, Page 403, in the records of the Todd County Court Clerk's Office.



CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Elkton, Kentucky, and the forgoing six pages of Ordinance No. 2015-3 and Summary of Ordinance 2015-3 was duly enacted at an open meeting of the City Council of the City of Elkton held on June 9, 2015 as appears in the official records of the City of Elkton.

WITNESS, my hand and Seal of the City of Elkton this 19th day of June, 2015.



Laura M. Brock, City Clerk/Treasurer



Harris & Harris Surveying Company, LLC

REGISTERED LAND SURVEYORS

83 EAST PUBLIC SQUARE
P.O. BOX 244
ELKTON, KENTUCKY 42220-0244

C. DOUGLAS HARRIS, P.L.S.
TERRI S. SOYK

(270) 265-5161
TOLL FREE 1-866-385-5191
FAX (270) 265-2297
E-MAIL: hhsurvey@bellsouth.net

**ANNEXATION SURVEY FOR THE
CITY OF ELKTON, KENTUCKY
(Ordinance No. 2015-2)**

Being a 7.535 Acre tract conveyed to Phares Martin from Harvey Martin, et ux, on October 24, 2014, as recorded in Deed Book 197, Page 189, in the Office of the County Clerk of Todd County, Kentucky, and being more particularly described as follows:

BEGINNING at a point, said point being a P-K spike with 1 inch Cap stamped PLS 2484 located in the North right-of-way line of U.S. Highway 68 [4 Lane] (right-of-way varies) at its point of intersection with the West right-of-way line (right-of-way varies) of B. White Road, said point of beginning being located 100.00 feet left (North) of Station 1115+00; thence a line with the North right-of-way line of U.S. Highway 68 (4 Lane), the next three (3) calls as follows:

North 87 degrees 08 minutes 15 seconds West, 200.25 feet to a point, said point being located 110.00 feet left (North) of Station 1113+00;

North 89 degrees 35 minutes 27 seconds West, 700.02 feet to a point, said point being located 115.00 feet left (North) of Station 1106+00;

South 89 degrees 07 minutes 07 seconds West, 220.45 feet to an iron pin found (stamped PLS 2484) said iron pin found being located 111.62 feet left (North) of Station 1103+80 in said line and being corner to Harvey Martin, et ux (Deed Book 187, Page 403); thence a line with Harvey Martin, et ux, North 00 degrees 00 minutes 00 seconds East, 108.00 feet to an iron pin found (stamped PLS 2484) corner to Harvey Martin, et ux and being located on the South bank of a Branch; thence a line with Harvey Martin, et ux and the meanders of said Branch, the next six (6) calls as follows:

South 89 degrees 34 minutes 51 seconds East, 116.61 feet to a point;

North 74 degrees 18 minutes 57 seconds East, 330.57 feet to a point;

North 80 degrees 29 minutes 08 seconds East, 97.86 feet to a point;

North 45 degrees 50 minutes 28 seconds East, 154.24 feet to a point;

North 34 degrees 12 minutes 15 seconds East, 232.96 feet to a point;

North 39 degrees 06 minutes 38 seconds East, 212.49 feet to a corner post corner to Harvey Martin, et ux and being located in the West right-of-way line of B. White Road; thence a line with said right-of-way, the next five (5) calls as follows:

South 23 degrees 17 minutes 20 seconds East, 244.44 feet to a point, said point being located 17.63 feet right (West) of Station 44+00;

South 09 degrees 53 minutes 29 seconds East, 102.47 feet to a point, said point being located 40.00 feet right (West) of Station 45+00;

South 22 degrees 30 minutes 00 seconds East, 150.00 feet to a point, said point being located 40.00 feet right (West) of Station 46+50;

South 15 degrees 05 minutes 56 seconds East, 139.59 feet to a point, said point being located 50.00 feet right (West) of Station 48+00;

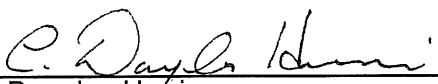
South 03 degrees 24 minutes 23 seconds East, 90.62 feet to the point of beginning and containing 7.535 Acres.

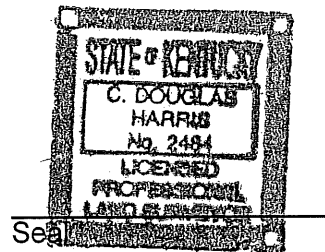
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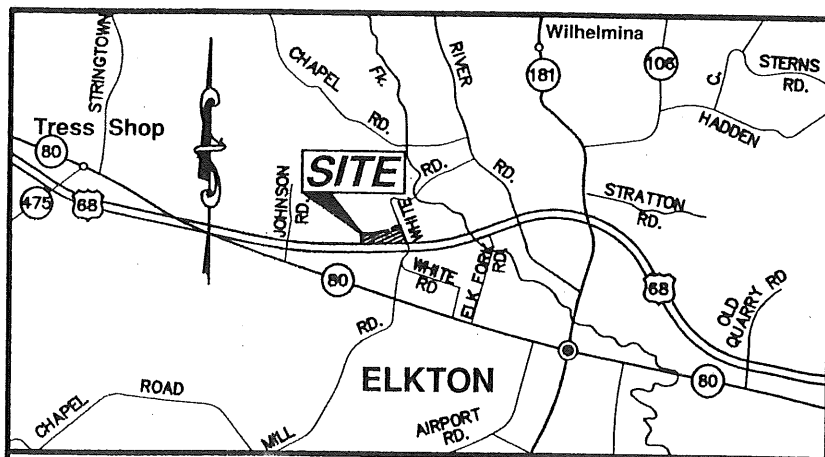
BEGINNING at a point, said point being an iron pin found (stamped PLS 2484) located in the North right-of-way line of U.S. Highway 68 [4 Lane] (right-of-way varies) and being corner to the West boundary line of the above described 7.535 Acre tract, said point of beginning also being corner to Harvey Martin, et ux (Deed Book 187, Page 403); thence a line with the North right-of-way line of U.S. Highway 68 (4 Lane), South 89 degrees 07 minutes 07 seconds West, 30.00 feet to a point in said line and being corner to Harvey Martin, et ux; thence a line with Harvey Martin, et ux, North 00 degrees 00 minutes 00 seconds East, 108.46 feet to a point corner to Harvey Martin, et ux and being located on the South bank of a Branch; thence a line with Harvey Martin, et ux and the meanders of said Branch, North 90 degrees 00 minutes 00 seconds East, 30.00 feet to an iron pin found (stamped PLS 2484) corner to Harvey Martin, et ux and being located in the West boundary line of the above described 7.535 Acre tract; thence a line with said boundary line, South 00 degrees 00 minutes 00 seconds West, 108.00 feet to the point of beginning and containing 0.075 Acres or 3,247 Square Feet, said point terminating said thirty (30') foot wide Access Easement.

The above description was prepared from a physical survey performed on April 22, 2014 by C. Douglas Harris, Kentucky Professional Land Surveyor Number 2484 with *HARRIS & HARRIS SURVEYING COMPANY, LLC*, Commonwealth of Kentucky Permit No. 91, 83 East Public Square, Post Office Box 244, Elkton, Kentucky 42220, and is subject to all easements and right-of-ways of record and in existence.

HARRIS & HARRIS SURVEYING CO., LLC


C. Douglas Harris
Kentucky PLS 2484





VICINITY MAP

NORTH
Date of Boundary Survey
04/22/14

BASIS OF NORTH:
Kentucky Department of Highways
Hopkinsville - Russellville Road
JB01 110 0068 006-012

| CALL TABLE | | |
|--------------------------|---------------|----------|
| 30' Wide Access Easement | | |
| Course | Bearing | Distance |
| E-1 | S 89°07'07" W | 30.00' |
| E-2 | N 00°00'00" E | 108.46' |
| E-3 | N 90°00'00" E | 30.00' |
| E-4 | S 00°00'00" W | 108.00' |

CONTAINS
0.075 Ac.
or
3,247 Sq. Ft.

Harvey Martin, et ux
D.B. 187 PG. 403

Harvey Martin, et ux
D.B. 187 PG. 403

CONTAINS
7.535
ACRES

Date of Boundary Survey
04/22/14

OF NORTH:
tment of Highways
Russellville Road
1068 006-012

Harvey Martin, et ux
D.B. 187 PG. 403

Centerline of Branch

CONTAINS
7.535
ACRES

Point of Beginning

City of Elkton, Kentucky
ORDINANCE NO. 2015-3
Legal Description

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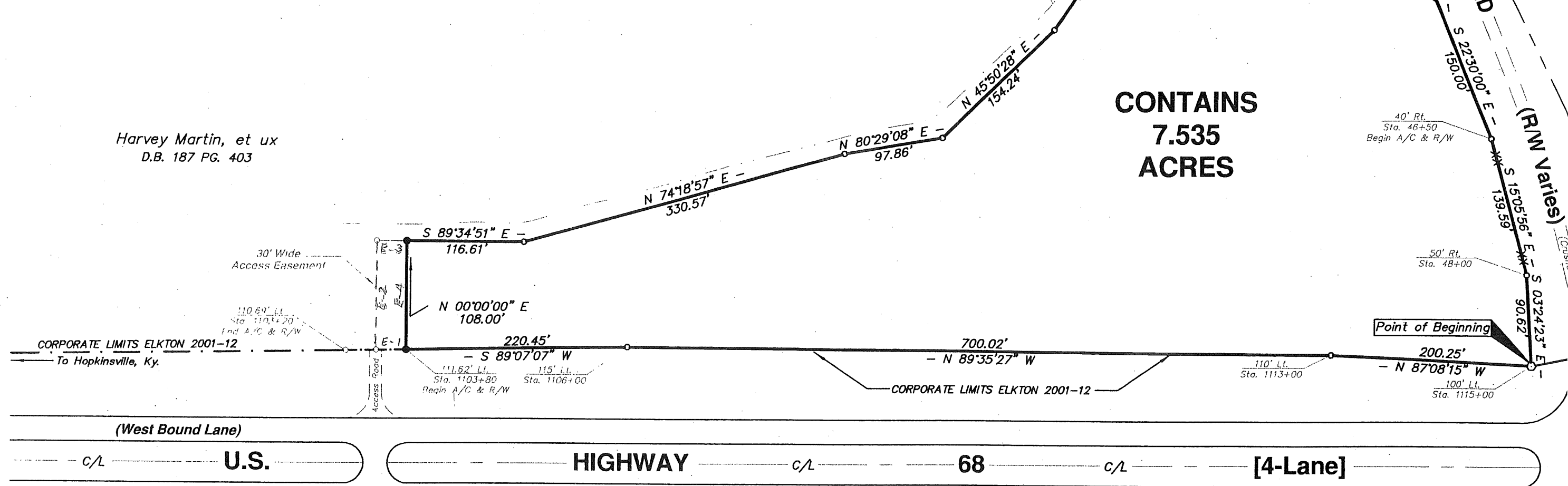
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Harvey Martin, et ux
D.B. 187 PG. 403

CONTAINS
7.535
ACRES

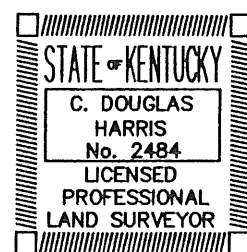


ANNEXATION
to the
CITY OF ELKTON, KENTUCKY
(ORDINANCE NO. 2015-3)

SURVEYOR'S CERTIFICATE

I DO HEREBY CERTIFY THAT THE SURVEY HEREON WAS PERFORMED UNDER MY DIRECTION BY THE METHOD OF RANDOM TRAVERSE WITH SIDE SHOTS. THE UNADJUSTED PRECISION RATIO OF THE TRAVERSE EXCEEDS THE MINIMUM REQUIREMENTS OF 1:5,000. THE BEARINGS AND DISTANCES SHOWN HEREON HAVE BEEN ADJUSTED. THIS SURVEY IS A CLASS "B" SURVEY AND MEETS THE ACCURACY, PRECISION AND SPECIFICATIONS OF THIS CLASS PER MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN KENTUCKY.

C. Douglas Harris 05-19-15
NAME DATE



SEAL

DEED REFERENCE

BEING THE
PHARES MARTIN
Property

D.B. 197 PG. 189
TODD COUNTY, KENTUCKY



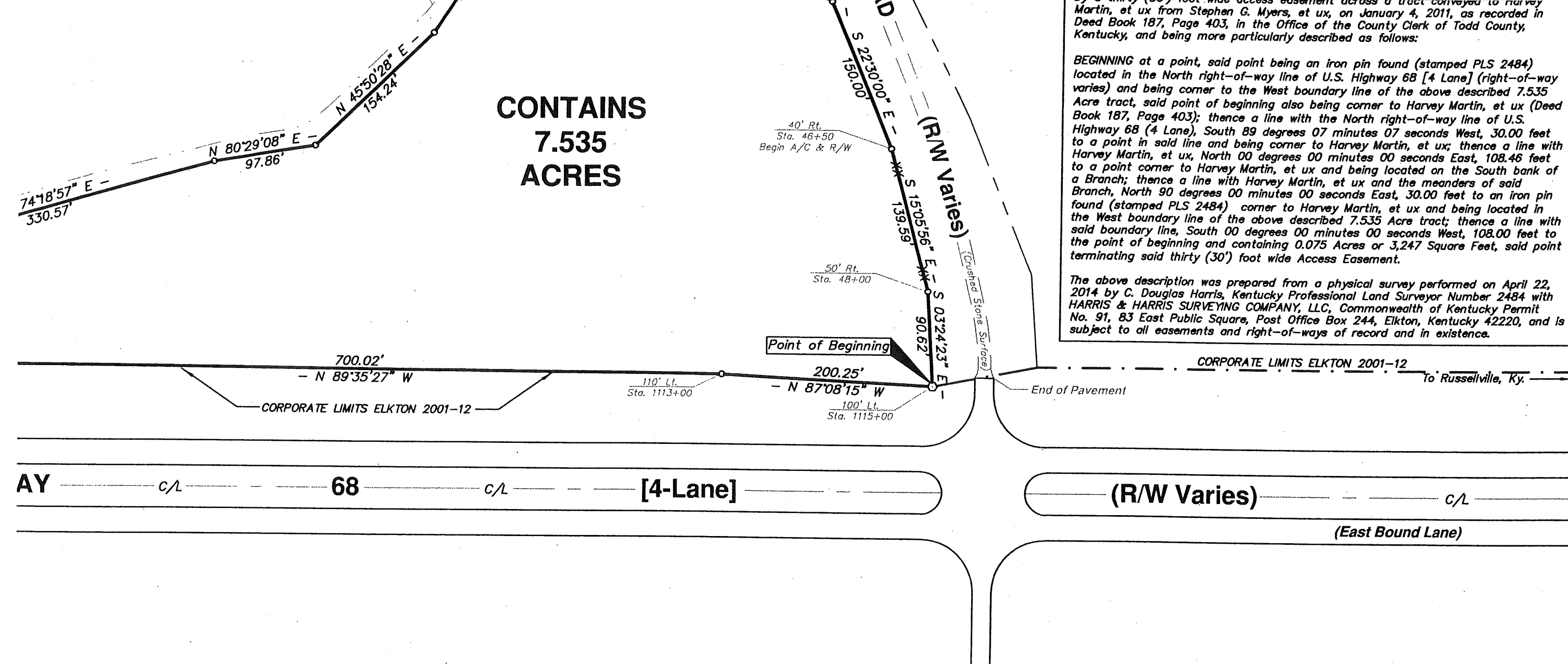
HARRIS & HARRIS SURVEYING COMPANY, LLC
P.O. Box 244 83 East Public Square
Elkton, Kentucky 42220

Phone: 270-26
Toll Free: 866-38
FAX: 270-26

PROFESSIONAL LAND SURVEYORS

DRAWN BY: C.D.H. DATE: 05/19/15
CHECKED BY: T.S.S. SCALE: 1" = 100'
DRAWING NO: 11-028ANNEX

GRAPHIC SCA
100' 50' 0'




... 100' wide access easement across a tract conveyed to Harvey Martin, et ux from Stephen G. Myers, et ux, on January 4, 2011, as recorded in Deed Book 187, Page 403, in the Office of the County Clerk of Todd County, Kentucky, and being more particularly described as follows:

BEGINNING at a point, said point being an iron pin found (stamped PLS 2484) located in the North right-of-way line of U.S. Highway 68 [4 Lane] (right-of-way varies) and being corner to the West boundary line of the above described 7.535 Acre tract, said point of beginning also being corner to Harvey Martin, et ux (Deed Book 187, Page 403); thence a line with the North right-of-way line of U.S. Highway 68 (4 Lane), South 89 degrees 07 minutes 07 seconds West, 30.00 feet to a point in said line and being corner to Harvey Martin, et ux; thence a line with Harvey Martin, et ux, North 00 degrees 00 minutes 00 seconds East, 108.46 feet to a point corner to Harvey Martin, et ux and being located on the South bank of a Branch; thence a line with Harvey Martin, et ux and the meanders of said Branch, North 90 degrees 00 minutes 00 seconds East, 30.00 feet to an iron pin found (stamped PLS 2484) corner to Harvey Martin, et ux and being located in the West boundary line of the above described 7.535 Acre tract; thence a line with said boundary line, South 00 degrees 00 minutes 00 seconds West, 108.00 feet to the point of beginning and containing 0.075 Acres or 3,247 Square Feet, said point terminating said thirty (30') foot wide Access Easement.

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ANNEXATION
to the
CITY OF ELKTON, KENTUCKY
(ORDINANCE NO. 2015-3)

| | | | | |
|--|---|-----------------------------------|--|---|
| DEED REFERENCE BEING THE PHARES MARTIN Property D.B. 197 PG. 189 TODD COUNTY, KENTUCKY |  <div>HARRIS & HARRIS SURVEYING COMPANY, LLC P.O. Box 244 83 East Public Square Elkton, Kentucky 42220 Phone: 270-265-5161 Toll Free: 866-385-5191 FAX: 270-265-2297 PROFESSIONAL LAND SURVEYORS</div> | | CLIENT CITY OF ELKTON POST OFFICE BOX 578 ELKTON, KENTUCKY 42220 | LEGEND <ul style="list-style-type: none">● Found 5/8" Rebar With 1" Cap Stamped P.L.S. 2484○ Set P-K Spike With 1" Cap Stamped P.L.S. 2484□ Corner Post○ Point <div>Existing Corporate Limits Elkton 2001-12</div> <div>Annexation Boundary</div> |
| | DRAWN BY: C.D.H. DATE: 05/19/15 CHECKED BY: T.S.S. SCALE: 1" = 100' DRAWING NO: 11-028ANNEX | GRAPHIC SCALE 100' 50' 0' 100' | OWNER PHARES MARTIN POST OFFICE BOX 909 ELKTON, KENTUCKY 42220 | |